

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ROOSEVELT ERVING JR.,

Defendant.

4:05CR3002

ORDER

Mr. Erving has filed a motion for compassionate release. However, Mr. Erving has not alleged that he has pursued his administrative remedies. I will hold his motion in abeyance for 60 days. At a minimum, Mr. Erving should seek “compassionate release” from the warden at the facility at which he is presently being held. He should complete the “request for administrative remedy” (BP-9 form).

IT IS ORDERED that Mr. Erving’s motion, Filing 101, will be held in abeyance for 60 days to give Mr. Erving the opportunity to file evidence or amend his motion to show that he has pursued exhaustion of his administrative remedies.

Dated this 23rd day of December, 2020.

BY THE COURT:



Richard G. Kopf
Senior United States District Judge